compete in the Daytona 500 a total of eight times. In 1962, he moved to Hueytown, Alabama, and became a core member of the famous ''Alabama Gang''.

Red won a total of four NASCAR championships, winning the modified division championship in 1956 and proceeding to collect three consecutive championships in NASCAR's Late Model Sportsman division from 1969 to 1971, including the 1971 Permatex 300 at Daytona. He has won so many times on various tracks and across different divisions that the exact number of wins is unknown, but it is in excess of 750.

In addition to driving, Red served as crew chief for NASCAR Hall of Famer Davey Allison. Red is recognized as one of NASCAR's 50 greatest drivers. He is in the Alabama Sports Hall of Fame and the NASCAR Hall of Fame.

Red married his late wife, Joan, in 1950 and has three children: Bonnie, Cindy, and Mike.

Red's passion for racing and his determination to never retire, but to continue doing what he loves—even at the age of 90—is an inspiration to all of us.

CELEBRATING THE LIFE OF BRANDON CASERTA

(Mrs. LESKO asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Mrs. LESKO. Mr. Speaker, I rise today to celebrate the life of Brandon Caserta from Peoria, Arizona.

Brandon was born on May 25, 1997, and everyone who knew him spoke of his kindness. Brandon grew up in a family dedicated to serving our Nation. He followed in the footsteps of his father, Patrick, a retired United States Navy Senior Chief, by enlisting in the Navy. Brandon dreamed of one day joining our Nation's elite in the United States Navy SEALs, and he eventually served as Petty Officer Third Class with the Helicopter Sea Combat Squadron 28 in Norfolk, Virginia.

Sadly, on June 25, 2018, Brandon tragically took his own life. In memory of their son, Brandon's parents, Teri and Patrick, began advocating for change to help prevent suicides among Active-Duty military and veterans. Their dedication resulted in the inclusion of H.R. 3942, the Brandon Act, named after Brandon, in the fiscal year 2022 National Defense Authorization Act. This bill allows servicemembers to quickly seek lifesaving mental health care.

I am grateful for Teri and Patrick's dedication and their tireless effort to ensure that Brandon's legacy brings about meaningful change within our military.

RECOGNIZING THE SEVENTH GRADE CLASS AT GREEN ACRES MIDDLE SCHOOL

(Ms. LOIS FRANKEL of Florida asked and was given permission to address the House for 1 minute.)

Ms. LOIS FRANKEL of Florida. Mr. Speaker, today I rise to recognize Victor Stekoll's seventh grade class at the Green Acres School. In the class is my nephew Eric. Like Eric, his classmates work to earn respect, which is one of the most important characteristics and principles of the Green Acres School.

These students are challenged to live and learn with intellect and curiosity, determination, and joy because they want to make a positive impact on their school. These Green Acre students are off to a great start.

In fact, Mr. Stekoll's class is touring the Capitol today in order to learn more about our government and get an inside look at what it is like to be a Member of Congress.

I applaud these middle school students for showing interest in the important work of government. I expect, Mr. Speaker, that one day one of these students will be standing right here addressing the Chamber.

I say: Go Grizzlies.

PRINTING OF PROCEEDINGS OF FORMER MEMBERS PROGRAM

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that the proceedings during the former Members program be printed in the CONGRESSIONAL RECORD and that all Members and former Members who spoke during the proceedings have the privilege of revising and extending their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

EQUAL ACCESS TO GREEN CARDS FOR LEGAL EMPLOYMENT ACT OF 2022

Ms. LOFGREN. Mr. Speaker, pursuant to House Resolution 1508, I call up (H.R. 3648) to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes, and ask for its immediate consideration in the House.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Pursuant to House Resolution 1508, the amendment in the nature of a substitute recommended by the Committee on the Judiciary printed in the bill, modified by the amendment printed in part A of House Report 117–590, is adopted and the bill, as amended, is considered read.

The text of the bill, as amended, is as follows:

H.R. 3648

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Equal Access to Green cards for Legal Employment Act of 2022'' or the ''EAGLE Act of 2022''.

SEC. 2. NUMERICAL LIMITATION TO ANY SINGLE FOREIGN STATE.

(a) IN GENERAL.—Section 202(a)(2) of the Immigration and Nationality Act (8 U.S.C. 1152(a)(2)) is amended to read as follows:

''(2) PER COUNTRY LEVELS FOR FAMILY-SPONSORED IMMIGRANTS.—Subject to paragraphs (3) and (4), the total number of immigrant visas made available to natives of any single foreign state or dependent area under section 203(a) in any fiscal year may not exceed 15 percent (in the case of a single foreign state) or 2 percent (in the case of a dependent area) of the total number of such visas made available under such section in that fiscal year.''.

(b) CONFORMING AMENDMENTS.—Section 202 of such Act (8 U.S.C. 1152) is amended—

(1) in subsection (a)—

(A) in paragraph (3), by striking ''both subsections (a) and (b) of section 203'' and inserting ''section 203(a)''; and

(B) by striking paragraph (5); and

(2) by amending subsection (e) to read as follows:

''(e) SPECIAL RULES FOR COUNTRIES AT CEILING.—If the total number of immigrant visas made available under section 203(a) to natives of any single foreign state or dependent area will exceed the numerical limitation specified in subsection (a)(2) in any fiscal year, immigrant visas shall be allotted to such natives under section 203(a) (to the extent practicable and otherwise consistent with this section and section 203) in a manner so that, except as provided in subsection (a)(4), the proportion of the visas made available under each of paragraphs (1) through (4) of section 203(a) is equal to the ratio of the total visas made available under the respective paragraph to the total visas made available under section 203(a).''.

(c) COUNTRY-SPECIFIC OFFSET.—Section 2 of the Chinese Student Protection Act of 1992 (8 U.S.C. 1255 note) is amended—

(1) in subsection (a), by striking ''(as defined in subsection (e))'';

(2) by striking subsection (d); and

(3) by redesignating subsection (e) as subsection (d).

(d) APPLICATION.—The amendments made by this section shall apply beginning on the date that is the first day of the second fiscal year beginning after the date of the enactment of this Act.

(e) TRANSITION RULES FOR EMPLOYMENT-BASED IMMIGRANTS.—Notwithstanding title II of the Immigration and Nationality Act (8 U.S.C. 1151 et seq.), the following transition rules shall apply to employment-based immigrants, beginning on the date referred to in subsection (d):

(1) RESERVED VISAS FOR LOWER ADMISSION STATES.—

(A) IN GENERAL.—For the first nine fiscal years after the date referred to in subsection (d), immigrant visas under each of paragraphs (2) and (3) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)) shall be reserved and allocated to immigrants who are natives of a foreign state or dependent area that is not one of the two foreign states or dependent areas with the highest demand for immigrant visas as follows:

(i) For the first fiscal year after such date, 30 percent of such visas.

(ii) For the second fiscal year after such date, 25 percent of such visas.

(iii) For the third fiscal year after such date, 20 percent of such visas.

(iv) For the fourth fiscal year after such date, 15 percent of such visas.

(v) For the fifth and sixth fiscal years after such date, 10 percent of such visas.

(vi) For the seventh, eighth, and ninth fiscal years after such date, 5 percent of such visas.

(B) ADDITIONAL RESERVED VISAS FOR NEW ARRIVALS.—For each of the first nine fiscal years after the date referred to in subsection (d), an additional 5.75 percent of the immigrant visas made available under each of paragraphs (2)

and (3) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)) shall be allocated to immigrants who are natives of a foreign state or dependent area that is not one of the two foreign states or dependent areas with the highest demand for immigrant visas. Such additional visas shall be allocated in the following order of priority:

(i) FAMILY MEMBERS ACCOMPANYING OR FOLLOWING TO JOIN.—Visas reserved under this subparagraph shall be allocated to family members described in section 203(d) of the Immigration and Nationality Act (8 U.S.C. 1153(d)) who are accompanying or following to join a principal beneficiary who is in the United States and has been granted an immigrant visa or adjustment of status to lawful permanent residence under paragraph (2) or (3) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)).

(ii) NEW PRINCIPAL ARRIVALS.—If at the end of the second quarter of any fiscal year, the total number of visas reserved under this subparagraph exceeds the number of qualified immigrants described in clause (i), such visas may also be allocated, for the remainder of the fiscal year, to individuals (and their family members described in section 203(d) of the Immigration and Nationality Act (8 U.S.C. 1153(d))) who are seeking an immigrant visa under paragraph (2) or (3) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)) to enter the United States as new immigrants, and who have not resided or worked in the United States at any point in the four-year period immediately preceding the filing of the immigrant visa petition.

(iii) OTHER NEW ARRIVALS.—If at the end of the third quarter of any fiscal year, the total number of visas reserved under this subparagraph exceeds the number of qualified immigrants described in clauses (i) and (ii), such visas may be also be allocated, for the remainder of the fiscal year, to other individuals (and their family members described in section 203(d) of the Immigration and Nationality Act (8 U.S.C. 1153(d))) who are seeking an immigrant visa under paragraph (2) or (3) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)).

(2) RESERVED VISAS FOR SHORTAGE OCCUPATIONS.—

(A) IN GENERAL.—For each of the first seven fiscal years after the date referred to in subsection (d), not fewer than 4,400 of the immigrant visas made available under section 203(b)(3) of the Immigration and Nationality Act (8 U.S.C. 1153(b)(3)), and not reserved under paragraph (1), shall be allocated to immigrants who are seeking admission to the United States to work in an occupation described in section 656.5(a) of title 20, Code of Federal Regulations (or any successor regulation).

(B) FAMILY MEMBERS.—Family members who are accompanying or following to join a principal beneficiary described in subparagraph (A) shall be entitled to a visa in the same status and in the same order of consideration as such principal beneficiary, but such visa shall not be counted against the 4,400 immigrant visas reserved under such subparagraph.

(3) PER-COUNTRY LEVELS.—For each of the first nine fiscal years after the date referred to in subsection (d)—

(A) not more than 25 percent (in the case of a single foreign state) or 2 percent (in the case of a dependent area) of the total number of visas reserved under paragraph (1) shall be allocated to immigrants who are natives of any single foreign state or dependent area; and

(B) not more than 85 percent of the immigrant visas made available under each of paragraphs (2) and (3) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)) and not reserved under paragraph (1), may be allocated to immigrants who are native to any single foreign state or dependent area.

(4) SPECIAL RULE TO PREVENT UNUSED VISAS.—If, at the end of the third quarter of any fiscal year, the Secretary of State determines that the application of paragraphs (1) through (3) would result in visas made available under paragraph (2) or (3) of section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)) going unused in that fiscal year, such visas may be allocated during the remainder of such fiscal year without regard to paragraphs (1) through (3).

(5) RULES FOR CHARGEABILITY AND DEPENDENTS.—Section 202(b) of the Immigration and Nationality Act (8 U.S.C. 1152(b)) shall apply in determining the foreign state to which an alien is chargeable, and section 203(d) of such Act (8 U.S.C. 1153(d)) shall apply in allocating immigrant visas to family members, for purposes of this subsection.

(6) DETERMINATION OF TWO FOREIGN STATES OR DEPENDENT AREAS WITH HIGHEST DEMAND.—The two foreign states or dependent areas with the highest demand for immigrant visas, as referred to in this subsection, are the two foreign states or dependent areas with the largest aggregate number beneficiaries of petitions for an immigrant visa under section 203(b) of the Immigration and Nationality Act (8 U.S.C. 1153(b)) that have been approved, but where an immigrant visa is not yet available, as determined by the Secretary of State, in consultation with the Secretary of Homeland Security.

SEC. 3. POSTING AVAILABLE POSITIONS THROUGH THE DEPARTMENT OF LABOR.

(a) DEPARTMENT OF LABOR WEBSITE.—Section 212(n) of the Immigration and Nationality Act (8 U.S.C. 1182(n)) is amended by adding at the end the following:

''(6) For purposes of complying with paragraph (1)(C):

''(A) Not later than 180 days after the date of the enactment of the Equal Access to Green cards for Legal Employment Act of 2022, the Secretary of Labor shall establish a searchable internet website for posting positions in accordance with paragraph (1)(C) that is available to the public without charge, except that the Secretary may delay the launch of such website for a single period identified by the Secretary by notice in the Federal Register that shall not exceed 30 days.

''(B) The Secretary may work with private companies or nonprofit organizations to develop and operate the internet website described in subparagraph (A).

''(C) The Secretary shall promulgate rules, after notice and a period for comment, to carry out this paragraph.''.

(b) PUBLICATION REQUIREMENT.—The Secretary of Labor shall submit to Congress, and publish in the Federal Register and in other appropriate media, a notice of the date on which the internet website required under section 212(n)(6) of the Immigration and Nationality Act, as established by subsection (a), will be operational.

(c) APPLICATION.—The amendment made by subsection (a) shall apply beginning on the date that is 90 days after the date described in subsection (b).

(d) INTERNET POSTING REQUIREMENT.—Section 212(n)(1)(C) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)(C)) is amended—

(1) by redesignating clause (ii) as subclause (II);

(2) by striking ''(i) has provided'' and inserting the following:

''(ii)(I) has provided''; and

(3) by inserting before clause (ii), as redesignated by paragraph (2), the following:

''(i) except in the case of an employer filing a petition on behalf of an H–1B nonimmigrant who has already been counted against the numerical limitations and is not eligible for a full 6-year period, as described in section 214(g)(7), or on behalf of an H–1B nonimmigrant authorized to accept employment under section 214(n), has posted on the internet website described in paragraph (6), for at least 30 calendar days, a description of each position for which a nonimmigrant is sought, that includes—

''(I) the occupational classification, and if different the employer's job title for the position, in which each nonimmigrant will be employed;

''(II) the education, training, or experience qualifications for the position;

''(III) the salary or wage range and employee benefits offered;

''(IV) each location at which a nonimmigrant will be employed; and

''(V) the process for applying for a position; and''.

SEC. 4. H–1B EMPLOYER PETITION REQUIREMENTS.

(a) WAGE DETERMINATION INFORMATION.—Section 212(n)(1)(D) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)(D)) is amended by inserting ''the prevailing wage determination methodology used under subparagraph (A)(i)(II),'' after ''shall contain''.

(b) NEW APPLICATION REQUIREMENTS.—Section 212(n)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)) is amended by inserting after subparagraph (G) the following new subparagraph:

''(H)(i) The employer, or a person or entity acting on the employer's behalf, has not advertised any available position specified in the application in an advertisement that states or indicates that—

''(I) such position is only available to an individual who is or will be an H–1B nonimmigrant; or

''(II) an individual who is or will be an H–1B nonimmigrant shall receive priority or a preference in the hiring process for such position.

''(ii) The employer has not primarily recruited individuals who are or who will be H–1B nonimmigrants to fill such position.

''(I) If the employer, in a previous period specified by the Secretary, employed one or more H–1B nonimmigrants, the employer shall submit to the Secretary the Internal Revenue Service Form W–2 Wage and Tax Statements filed by the employer with respect to the H–1B nonimmigrants for such period.''.

(c) ADDITIONAL REQUIREMENT FOR NEW H–1B PETITIONS.—

(1) IN GENERAL.—Section 212(n)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)), as amended by subsection (b), is further amended by inserting after subparagraph (I), the following:

''(J)(i) If the employer employs 50 or more employees in the United States, the sum of the number of such employees who are H–1B nonimmigrants plus the number of such employees who are nonimmigrants described in section 101(a)(15)(L) does not exceed 50 percent of the total number of employees.

''(ii) Any group treated as a single employer under subsection (b), (c), (m), or (o) of section 414 of the Internal Revenue Code of 1986 shall be treated as a single employer for purposes of clause (i).''.

(2) RULE OF CONSTRUCTION.—Nothing in subparagraph (J) of section 212(n)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)), as added by paragraph (1), may be construed to prohibit renewal applications or change of employer applications for H–1B nonimmigrants employed by an employer on the date of the enactment of this Act.

(3) APPLICATION.—The amendment made by this subsection shall apply with respect to an employer commencing on the date that is 180 days after the date of the enactment of this Act.

(d) LABOR CONDITION APPLICATION FEE.—Section 212(n) of the Immigration and Nationality Act (8 U.S.C. 1182(n)), as amended by section 3(a), is further amended by adding at the end the following:

''(7)(A) The Secretary of Labor shall promulgate a regulation that requires applicants under this subsection to pay an administrative fee to cover the average paperwork processing costs and other administrative costs.

''(B)(i) Fees collected under this paragraph shall be deposited as offsetting receipts within

the general fund of the Treasury in a separate account, which shall be known as the 'H–1B Administration, Oversight, Investigation, and Enforcement Account' and shall remain available until expended.

''(ii) The Secretary of the Treasury shall refund amounts in such account to the Secretary of Labor for salaries and related expenses associated with the administration, oversight, investigation, and enforcement of the H–1B nonimmigrant visa program.''.

(e) ELIMINATION OF B–1 IN LIEU OF H–1.—Section 214(g) of the Immigration and Nationality Act (8 U.S.C. 1184(g)) is amended by adding at the end the following:

''(12)(A) Unless otherwise authorized by law, an alien normally classifiable under section 101(a)(15)(H)(i) who seeks admission to the United States to provide services in a specialty occupation described in paragraph (1) or (3) of subsection (i) may not be issued a visa or admitted under section 101(a)(15)(B) for such purpose.

''(B) Nothing in this paragraph may be construed to authorize the admission of an alien under section 101(a)(15)(B) who is coming to the United States for the purpose of performing skilled or unskilled labor if such admission is not otherwise authorized by law.''.

(f) ENDING MEDIA ABUSE OF H–1B.—Section 214(g) of the Immigration and Nationality Act (8 U.S.C. 1184(g)), as amended by subsection (e), is further amended by adding at the end the following:

''(13) An alien normally classifiable under section 101(a)(15)(I) who seeks admission to the United States solely as a representative of the foreign press, radio, film, or other foreign information media, may not be issued a visa or admitted under section 101(a)(15)(H)(i) to engage in such vocation.''.

(g) MEMBERSHIP IN TOTALITARIAN PARTY.—Section 214(g) of the Immigration and Nationality Act (8 U.S.C. 1184(g)), as amended by subsections (e) and (f), is further amended by adding at the end of the following:

''(14)(A) Except as provided in this paragraph, an alien who is or has been a member of or affiliated with the Communist or any other totalitarian party (or subdivision or affiliate thereof), domestic of foreign, may not be issued a visa or admitted under section 101(a)(15)(H)(i).

''(B) Subparagraph (A) shall not apply to an alien because of membership or affiliation if the alien establishes to the satisfaction of the consular officer when applying for a visa (or to the satisfaction of the Secretary of Homeland Security when applying for admission) under section 101(a)(15)(H)(i) that the membership or affiliation is or was involuntary, or is or was solely when under 16 years of age, by operation of law, or for purposes of obtaining employment, food rations, or other essentials of living and whether necessary for such purposes.

''(C) Subparagraph (A) shall not apply to an alien because of membership or affiliation if the alien establishes to the satisfaction of the consular officer when applying for a visa (or to the satisfaction of the Secretary of Homeland Security when applying for admission) under section 101(a)(15)(H)(i) that—

''(i) the membership or affiliation terminated at least—

''(I) 2 years before the date of such application; or

''(II) 5 years before the date of such application, in the case of an alien whose membership or affiliation was with the party controlling the government of a foreign state that is a totalitarian dictatorship as of such date; and

''(ii) the alien is not a threat to the security of the United States.

''(D) The Secretary of Homeland Security may, in the Secretary's discretion, waive the application of subparagraph (A) in the case of an alien who is the parent, spouse, son, daughter, brother, or sister of a citizen of the United States or a spouse, son, or daughter of an alien lawfully admitted for permanent residence for humanitarian purposes, to assure family unity, or when it is otherwise in the public interest if the alien is not a threat to the security of the United States.''.

SEC. 5. INVESTIGATION AND DISPOSITION OF COMPLAINTS AGAINST H–1B EMPLOYERS.

(a) INVESTIGATION, WORKING CONDITIONS, AND PENALTIES.—Section 212(n)(2)(C) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(C)) is amended by striking clause (iv) and inserting the following:

''(iv)(I) An employer that has filed an application under this subsection violates this clause by taking, failing to take, or threatening to take or fail to take a personnel action, or intimidating, threatening, restraining, coercing, blacklisting, discharging, or discriminating in any other manner against an employee because the employee—

''(aa) disclosed information that the employee reasonably believes evidences a violation of this subsection or any rule or regulation pertaining to this subsection; or

''(bb) cooperated or sought to cooperate with the requirements under this subsection or any rule or regulation pertaining to this subsection.

''(II) An employer that violates this clause shall be liable to the employee harmed by such violation for lost wages and benefits.

''(III) In this clause, the term 'employee' includes—

''(aa) a current employee;

''(bb) a former employee; and

''(cc) an applicant for employment.''.

(b) INFORMATION SHARING.—Section 212(n)(2)(H) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(H)) is amended to read as follows:

''(H)(i) The Director of U.S. Citizenship and Immigration Services shall provide the Secretary of Labor with any information contained in the materials submitted by employers of H–1B nonimmigrants as part of the petition adjudication process that indicates that the employer is not complying with visa program requirements for H–1B nonimmigrants.

''(ii) The Secretary may initiate and conduct an investigation and hearing under this paragraph after receiving information of noncompliance under this subparagraph.''.

SEC. 6. LABOR CONDITION APPLICATIONS.

(a) APPLICATION REVIEW REQUIREMENTS.—Section 212(n)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)) is amended, in the undesignated matter following subparagraph (I), as added by section 4(b)—

(1) in the fourth sentence, by inserting '', and through the internet website of the Department of Labor, without charge.'' after ''Washington, D.C.'';

(2) in the fifth sentence, by striking ''only for completeness'' and inserting ''for completeness, clear indicators of fraud or misrepresentation of material fact,'';

(3) in the sixth sentence, by striking ''or obviously inaccurate'' and inserting '', presents clear indicators of fraud or misrepresentation of material fact, or is obviously inaccurate''; and

(4) by adding at the end the following: ''If the Secretary's review of an application identifies clear indicators of fraud or misrepresentation of material fact, the Secretary may conduct an investigation and hearing in accordance with paragraph (2).''.

(b) ENSURING PREVAILING WAGES ARE FOR AREA OF EMPLOYMENT AND ACTUAL WAGES ARE FOR SIMILARLY EMPLOYED.—Section 212(n)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)(A)) is amended—

(1) in clause (i), in the undesignated matter following subclause (II), by striking ''and'' at the end;

(2) in clause (ii), by striking the period at the end and inserting '', and''; and

(3) by adding at the end the following:

''(iii) will ensure that—

''(I) the actual wages or range identified in clause (i) relate solely to employees having substantially the same duties and responsibilities as the H–1B nonimmigrant in the geographical area of intended employment, considering experience, qualifications, education, job responsibility and function, specialized knowledge, and other legitimate business factors, except in a geographical area there are no such employees, and

''(II) the prevailing wages identified in clause (ii) reflect the best available information for the geographical area within normal commuting distance of the actual address of employment at which the H–1B nonimmigrant is or will be employed.''.

(c) PROCEDURES FOR INVESTIGATION AND DISPOSITION.—Section 212(n)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(A)) is amended—

(1) by striking ''(2)(A) Subject'' and inserting ''(2)(A)(i) Subject'';

(2) by striking the fourth sentence; and

(3) by adding at the end the following:

''(ii)(I) Upon receipt of a complaint under clause (i), the Secretary may initiate an investigation to determine whether such a failure or misrepresentation has occurred.

''(II) The Secretary may conduct—

''(aa) surveys of the degree to which employers comply with the requirements under this subsection; and

''(bb) subject to subclause (IV), annual compliance audits of any employer that employs H–1B nonimmigrants during the applicable calendar year.

''(III) Subject to subclause (IV), the Secretary shall—

''(aa) conduct annual compliance audits of each employer that employs more than 100 full-time equivalent employees who are employed in the United States if more than 15 percent of such full-time employees are H–1B nonimmigrants; and

''(bb) make available to the public an executive summary or report describing the general findings of the audits conducted under this subclause.

''(IV) In the case of an employer subject to an annual compliance audit in which there was no finding of a willful failure to meet a condition under subparagraph (C)(ii), no further annual compliance audit shall be conducted with respect to such employer for a period of not less than 4 years, absent evidence of misrepresentation or fraud.''.

(d) PENALTIES FOR VIOLATIONS.—Section 212(n)(2)(C) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(C)) is amended—

(1) in clause (i)—

(A) in the matter preceding subclause (I), by striking ''a condition of paragraph (1)(B), (1)(E), or (1)(F)'' and inserting ''a condition of paragraph (1)(B), (1)(E), (1)(F), (1)(H), or (1)(I)''; and

(B) in subclause (I), by striking ''$1,000'' and inserting ''$3,000'';

(2) in clause (ii)(I), by striking ''$5,000'' and inserting ''$15,000'';

(3) in clause (iii)(I), by striking ''$35,000'' and inserting ''$100,000''; and

(4) in clause (vi)(III), by striking ''$1,000'' and inserting ''$3,000''.

(e) INITIATION OF INVESTIGATIONS.—Section 212(n)(2)(G) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(G)) is amended—

(1) in clause (i), by striking ''In the case of an investigation'' in the second sentence and all that follows through the period at the end of the clause;

(2) in clause (ii), in the first sentence, by striking ''and whose identity'' and all that follows through ''failure or failures.'' and inserting ''the Secretary of Labor may conduct an investigation into the employer's compliance with the requirements under this subsection.'';

(3) in clause (iii), by striking the second sentence;

(4) by striking clauses (iv) and (v);

(5) by redesignating clauses (vi), (vii), and (viii) as clauses (iv), (v), and (vi), respectively;

(6) in clause (iv), as so redesignated—

(A) by striking ''clause (viii)'' and inserting ''clause (vi)''; and

(B) by striking ''meet a condition described in clause (ii)'' and inserting ''comply with the requirements under this subsection'';

(7) by amending clause (v), as so redesignated, to read as follows:

''(v)(I) The Secretary of Labor shall provide notice to an employer of the intent to conduct an investigation under clause (i) or (ii).

''(II) The notice shall be provided in such a manner, and shall contain sufficient detail, to permit the employer to respond to the allegations before an investigation is commenced.

''(III) The Secretary is not required to comply with this clause if the Secretary determines that such compliance would interfere with an effort by the Secretary to investigate or secure compliance by the employer with the requirements of this subsection.

''(IV) A determination by the Secretary under this clause shall not be subject to judicial review.'';

(8) in clause (vi), as so redesignated, by striking ''An investigation'' in the first sentence and all that follows through ''the determination.'' in the second sentence and inserting ''If the Secretary of Labor, after an investigation under clause (i) or (ii), determines that a reasonable basis exists to make a finding that the employer has failed to comply with the requirements under this subsection, the Secretary shall provide interested parties with notice of such determination and an opportunity for a hearing in accordance with section 556 of title 5, United States Code, not later than 60 days after the date of such determination.''; and

(9) by adding at the end the following:

''(vii) If the Secretary of Labor, after a hearing, finds that the employer has violated a requirement under this subsection, the Secretary may impose a penalty pursuant to subparagraph (C).''.

SEC. 7. ADJUSTMENT OF STATUS FOR EMPLOYMENT-BASED IMMIGRANTS.

(a) ADJUSTMENT OF STATUS FOR EMPLOYMENT-BASED IMMIGRANTS.—Section 245 of the Immigration and Nationality Act (8 U.S.C. 1255) is amended by adding at the end the following:

''(o) ADJUSTMENT OF STATUS FOR EMPLOYMENT-BASED IMMIGRANTS.—

''(1) IN GENERAL.—Notwithstanding subsection (a)(3), an alien (including the alien's spouse or child, if eligible to receive a visa under section 203(d)), may file an application for adjustment of status if—

''(A) the alien—

''(i) is present in the United States pursuant to a lawful admission as a nonimmigrant, other than a nonimmigrant described in subparagraph (B), (C), (D), or (S) of section 101(a)(15), section 212(l), or section 217; and

''(ii) subject to subsection (k), is not ineligible for adjustment of status under subsection (c); and

''(B) not less than 2 years have elapsed since the immigrant visa petition filed by or on behalf of the alien under subparagraph (E) or (F) of section 204(a)(1) was approved.

''(2) PROTECTION FOR CHILDREN.—The child of a principal alien who files an application for adjustment of status under this subsection shall continue to qualify as a child for purposes of the application, regardless of the child's age or whether the principal alien is deceased at the time an immigrant visa becomes available.

''(3) TRAVEL AND EMPLOYMENT AUTHORIZATION.—

''(A) ADVANCE PAROLE.—Applicants for adjustment of status under this subsection shall be eligible for advance parole under the same terms and conditions as applicants for adjustment of status under subsection (a).

''(B) EMPLOYMENT AUTHORIZATION.—

''(i) PRINCIPAL ALIEN.—Subject to paragraph (4), a principal applicant for adjustment of status under this subsection shall be eligible for work authorization under the same terms and conditions as applicants for adjustment of status under subsection (a).

''(ii) LIMITATIONS ON EMPLOYMENT AUTHORIZATION FOR DEPENDENTS.—A dependent alien who was neither authorized to work nor eligible to request work authorization at the time an application for adjustment of status is filed under this subsection shall not be eligible to receive work authorization due to the filing of such application.

''(4) CONDITIONS ON ADJUSTMENT OF STATUS AND EMPLOYMENT AUTHORIZATION FOR PRINCIPAL ALIENS.—

''(A) IN GENERAL.—During the time an application for adjustment of status under this subsection is pending and until such time an immigrant visa becomes available—

''(i) the terms and conditions of the alien's employment, including duties, hours, and compensation, must be commensurate with the terms and conditions applicable to the employer's similarly situated United States workers in the area of employment, or if the employer does not employ and has not recently employed more than two such workers, the terms and conditions of such employment must be commensurate with the terms and conditions applicable to other similarly situated United States workers in the area of employment; and

''(ii) consistent with section 204(j), if the alien changes positions or employers, the new position is in the same or a similar occupational classification as the job for which the petition was filed.

''(B) SPECIAL FILING PROCEDURES.—An application for adjustment of status filed by a principal alien under this subsection shall be accompanied by—

''(i) a signed letter from the principal alien's current or prospective employer attesting that the terms and conditions of the alien's employment are commensurate with the terms and conditions of employment for similarly situated United States workers in the area of employment; and

''(ii) other information deemed necessary by the Secretary of Homeland Security to verify compliance with subparagraph (A).

''(C) APPLICATION FOR EMPLOYMENT AUTHORIZATION.—

''(i) IN GENERAL.—An application for employment authorization filed by a principal applicant for adjustment of status under this subsection shall be accompanied by a Confirmation of Bona Fide Job Offer or Portability (or any form associated with section 204(j)) attesting that—

''(I) the job offered in the immigrant visa petition remains a bona fide job offer that the alien intends to accept upon approval of the adjustment of status application; or

''(II) the alien has accepted a new full-time job in the same or a similar occupational classification as the job described in the approved immigrant visa petition.

''(ii) VALIDITY.—An employment authorization document issued to a principal alien who has filed an application for adjustment of status under this subsection shall be valid for three years.

''(iii) RENEWAL.—Any request by a principal alien to renew an employment authorization document associated with such alien's application for adjustment of status filed under this subsection shall be accompanied by the evidence described in subparagraphs (B) and (C)(i).

''(5) DECISION.—

''(A) IN GENERAL.—An adjustment of status application filed under paragraph (1) may not be approved—

''(i) until the date on which an immigrant visa becomes available; and

''(ii) if the principal alien has not, within the preceding 12 months, filed a Confirmation of Bona Fide Job Offer or Portability (or any form associated with section 204(j)).

''(B) REQUEST FOR EVIDENCE.—If at the time an immigrant visa becomes available, a Confirmation of Bona Fide Job Offer or Portability (or any form associated with section 204(j)) has not been filed by the principal alien within the preceding 12 months, the Secretary of Homeland Security shall notify the alien and provide instructions for submitting such form.

''(C) NOTICE OF INTENT TO DENY.—If the most recent Confirmation of Bona Fide Job Offer or Portability (or any form associated with section 204(j)) or any prior form indicates a lack of compliance with paragraph (4)(A), the Secretary of Homeland Security shall issue a notice of intent to deny the application for adjustment of status and provide the alien the opportunity to submit evidence of compliance.

''(D) DENIAL.—An application for adjustment of status under this subsection may be denied if the alien fails to—

''(i) timely file a Confirmation of Bona Fide Job Offer or Portability (or any form associated with section 204(j)) in response to a request for evidence issued under subparagraph (B); or

''(ii) establish, by a preponderance of the evidence, compliance with paragraph (4)(A).

''(6) FEES.—

''(A) IN GENERAL.—Notwithstanding any other provision of law, the Secretary of Homeland Security shall charge and collect a fee in the amount of $2,000 to process each Confirmation of Bona Fide Job Offer or Portability (or any form associated with section 204(j)) filed under this subsection.

''(B) DEPOSIT AND USE OF FEES.—Fees collected under subparagraph (A) shall be deposited and used as follows:

''(i) Fifty percent of such fees shall be deposited in the Immigration Examinations Fee Account established under section 286(m).

''(ii) Fifty percent of such fees shall be deposited in the Treasury of the United States as miscellaneous receipts.

''(7) APPLICATION.—

''(A) The provisions of this subsection—

''(i) shall apply beginning on the date that is one year after the date of the enactment of the Equal Access to Green cards for Legal Employment Act of 2022; and

''(ii) except as provided in subparagraph (B), shall cease to apply as of the date that is nine years after the date of the enactment of such Act.

''(B) This subsection shall continue to apply with respect to any alien who has filed an application for adjustment of status under this subsection any time prior to the date on which this subsection otherwise ceases to apply.

''(8) CLARIFICATIONS.—For purposes of this subsection:

''(A) The term 'similarly situated United States workers' includes United States workers performing similar duties, subject to similar supervision, and with similar educational backgrounds, industry expertise, employment experience, levels of responsibility, and skill sets as the alien in the same geographic area of employment as the alien.

''(B) The duties, hours, and compensation of the alien are 'commensurate' with those offered to United States workers in the same area of employment if the employer can demonstrate that the duties, hours, and compensation are consistent with the range of such terms and conditions the employer has offered or would offer to similarly situated United States employees.''.

(b) CONFORMING AMENDMENT.—Section 245(k) of the Immigration and Nationality Act (8 U.S.C. 1255(k)) is amended by adding ''or (n)'' after ''pursuant to subsection (a)''.

The SPEAKER pro tempore. The bill, as amended, shall be debatable for 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary or their respective designees.

After 1 hour of debate on the bill, as amended, it shall be in order to consider the further amendment printed in part B of House Report 117–590, if offered by the Member designated in the report, which shall be considered read, shall be separately debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, and shall not be subject to a demand for a division of the question.

The gentlewoman from California (Ms. LOFGREN) and the gentleman from California (Mr. MCCLINTOCK) each will control 30 minutes.

The Chair recognizes the gentlewoman from California.

GENERAL LEAVE

Ms. LOFGREN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 3648.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

Ms. LOFGREN. Mr. Chair, I yield myself such time as I may consume.

Mr. Speaker, today the House is considering H.R. 3648, the EAGLE Act, a bipartisan bill that raises the per-country caps on family-sponsored immigrant visas and phases out the per-country caps on employment-based immigrant visas. The bill also includes significant improvements to the H–1B visa program that add protections for U.S. workers.

Our immigration system has not been significantly updated since 1990, and it really just follows the basic outlines for the bill that was enacted in 1965. The failure to evolve the immigration system has significantly damaged America's ability to compete in an increasingly global economy. The system is supposed to encourage immigration based on an individual's family ties to the United States or their ability to contribute to our economy. It often falls short.

For example, there are backlogs for families seeking reunification. That could be legal residents of the United States trying to get their spouse a legal residence visa. There are backlogs in some countries but none for Western Europe. In addition, in the employment-based context, before a foreign national can apply for a green card—here is the process—their employer has to advertise and demonstrate that there are no U.S. workers who are here who can do the job that they are being offered. This is to make sure that green card applicants are providing services and skills that are not readily available in America.

But after this initial test, which is merit-based, the per-country caps kick in. For example, under current conditions, an individual from Western Europe, a Western European country, applying for a green card in the employment-based second preference category based on a bachelor's degree would be able to gain their permanent residency in about a year. In contrast, an Indian national with a Ph.D. and potentially superior skills might have to wait approximately 200 years. That doesn't help America.

I would note also that the individuals who would ultimately benefit from the elimination of what amounts to a racist system of allocating visas, 95 percent of those individuals are already in the United States legally working on a temporary visa, but in limbo. As that limbo continues, their children who have been raised in the United States age out, and when they hit 21, they have to go back to the country their parents are from, but their parents remain legally in the United States.

We are losing individuals who we need in America, including physicians—25 percent of the MDs in the United States are foreign-born; many of them are from India. I have personally met physicians whose children have aged-out who decided they have to move to Canada where they can get a green card equivalent in under 6 months.

Now, the disparity, as I mentioned, in the family-sponsored context, there are some family-sponsored immigrants from Mexico whose wait time is over 200 years before they are eligible to receive a green card.

□ 1230

That doesn't make any sense at all, and in fact, it is a fraud on those applicants.

We have been trying to change this system for over a decade. The Fairness for High-Skilled Immigrants Act, an earlier version of this legislation, first passed the House in 2011 and again last Congress. Iterations of this bill have been led by both Democrats and Republicans, received over 350 ''yes'' votes in the House, and passed by unanimous consent in the Senate.

The EAGLE Act is based on a bill that passed the Senate last Congress, with additional restrictions to protect American workers and a longer transition period to ensure that no country's nationals are excluded from receiving visas while the per-country caps are phased out.

Why is this important? People base their expectations on the situation as it exists. The Congressional Research Service has analyzed this bill and stated that no one currently in line is negatively impacted by this legislation.

I thank Representative JOHN CURTIS from Utah for working with me to introduce the EAGLE Act. I appreciate my colleagues on both sides of the aisle who have previously supported this legislation, and I urge that we, once again, vote in favor of this bill.

A system that is based on where you are born instead of what you can do is not what serves America well. A system that is designed to advantage someone born in Western Europe over the entire rest of the world doesn't really recognize merit, which is what this bill is all about. We should have a system based on competitiveness, not the country where you were born.

Mr. Speaker, I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, ironically, this bill doesn't even serve the interests of immigrants from around the world except for two countries, China and India.

By removing the per-country caps on employment-based visas, the practical effect of this bill is that, for the foreseeable future, the citizens of only two countries, China and India, will be admitted to work here. Workers from every other country will have to wait many years until that backlog clears.

Supporters contend that no one currently awaiting a green card will be adversely affected. That may be true as far as it goes. But what they leave out is that this bill will produce long delays for future applicants from every country except for China and India.

Even the liberal American Immigration Lawyers Association points out that ''many applicants will now face longer wait times.''

Now, supporters are fond of comparing the populations of various countries as an argument that uniform percentage caps are unfair. But what they forget is that when a country's allotment isn't reached, its vacant slots then spill over to higher-demand countries. India, for example, accounted for 35 percent of the green cards issued last year, five times their percentage cap. But that, apparently, isn't enough for the left.

The bill also threatens our national security. China has been stealing U.S. technology for years through programs like the H–1B visa.

According to The Washington Post, one such initiative resulted in ''the arrests of six Chinese researchers accused of lying on their visa applications about their ties to the People's Liberation Army'' and ''more than 1,000 researchers who had hidden their affiliation with the Chinese military'' fleeing the U.S. within months.

The supporters assure us that anyone with direct ties to the Chinese Communist Party is not eligible, but that completely ignores the fact that the CCP exerts coercive control over all Chinese nationals, whether or not they are CCP members, so this assurance is meaningless.

As currently drafted, this bill would also result in the immediate exclusion from green cards special immigrant religious workers from around the world for the next few years. Those cards will, instead, go to special immigrant juvenile green cards for unaccompanied alien children from the Northern Triangle countries.

It is precisely this provision that has been exploited by the crime cartels in trafficking unaccompanied minors into this country, and this bill makes it worse.

But the most pernicious provision allows certain temporary visa holders to file an application for adjustment for status despite the fact that no green card is available to them. That is the reason you have the long delays that the gentlewoman mentioned.

The result is that many temporary visas will essentially become permanent because the alien visa holders will be able to live and work in the U.S. as if they had a green card.

That raises an important question: What is it that the Democrats have against American workers?

This bill is a direct attack on their job opportunities and livelihoods. So much for the advice to unemployed fossil fuel workers: Well, just learn to code.

All this becomes a theater of the absurd in light of the mass illegal migration that the Democrats have aided, abetted, and encouraged since they reversed the Trump border measures that had finally secured our borders.

It was no coincidence that as the flood of illegal migration slowed to a trickle, working-class families saw their biggest wage gains in decades, and the income gap between rich and poor began to narrow.

Now that the borders have been collapsed by the Democrats, those wage gains have been wiped out as millions of illegal aliens are deliberately allowed into the country to compete with those struggling American families. The Democrats remain silent on this continuing crisis.

The American people had trusted the Democrats to look out for their interests, and they are now discovering how tragically misplaced that trust has been. That is the crux of this bill, a big fat middle finger to America's working families, and I am afraid that won't change until the people responsible for these policies are turned out of office.

Mr. Speaker, I reserve the balance of my time.

Ms. LOFGREN. Mr. Speaker, before I recognize my colleague from the Judiciary Committee, I would just like to note that the issue about the EB–4, which is the children, is not correct.

Under current law, if you are a minor and have been abandoned by your parent, you can go to State court, and the State court will make a finding that you have been abandoned by your parent. Then, you can become eligible for legal permanent residence in the EB–4 category.

By the way, you are not, under law, able to then petition for a parent once the parent abandons you. They are out of the picture. That is backlogged right now from Central America. This bill will have the effect of easing those backlogs for orphans from Central America.

Mr. Speaker, I yield 4 minutes to the gentlewoman from Washington (Ms. JAYAPAL), a distinguished member of the House Judiciary Committee.

Ms. JAYAPAL. Mr. Speaker, I thank Congresswoman LOFGREN for her tremendous leadership, not only on this bill, but also on the Immigration and Citizenship Subcommittee as our chairwoman.

Mr. Speaker, I rise in strong support of the EAGLE Act.

I believe I may be the only one, or one of very few, Members of Congress who has actually been on an H–1B visa back when processing times to transition to a green card weren't nearly as bad as they are today. It still took me 17 years and a multitude of visas to become a U.S. citizen.

Today, an estimated 1.6 million people in the family backlog and 200,000 in the employment backlog will die, in some cases, before they receive green cards because of an arcane system that puts a 7 percent per-country limit on employment and family-sponsored green cards.

Many of the people who are stuck in this backlog are Asian immigrants, people who were denied the right to become U.S. citizens for most of U.S. history, from 1790 to 1952, through the Chinese Exclusion Act and the Supreme Court's 1923 decision barring Indians from becoming naturalized U.S. citizens. Anti-Asian policies have informed these future anti-immigrant efforts.

As the first South Asian American woman elected to the House, I am very aware that Congress did not repeal that Supreme Court decision until 1946.

The employment and family immigration process established in 1965 provided the first meaningful ways for Asian immigrants to come to the United States, and it remains the main method of entry for Asian immigrants because many Asian immigrants cannot access other pathways, such as asylum or refugee status or diversity visas.

However, because of the per-country caps, there are lengthy backlogs to secure permanent status. Those backlogs can last for decades or even lifetimes.

Someone from India or Mexico currently experiences a 200-year wait to secure a green card, while nationals of other countries wait as little as 2 years or less.

The EAGLE Act would simply ensure fairness by moving to a first come, first served system that would no longer discriminate by country of birth. Moreover, thanks to the bill's 9-year transition period beginning in October 2024, it would not harm anyone that is currently in the backlog.

The truth, Mr. Speaker, is that our immigration system is deeply broken, and it needs reform on every level. This is something that I dedicated two decades of my life to before coming to Congress. Whether you are from Africa, Latin America, Asia, or the Caribbean, we do not have a functioning immigration system that allows people to come to America and do the work that we need, or escape from war-torn or economically devastated countries, or join family members.

Congress has punted on comprehensive, humane immigration reform for too long, so we are forced to pursue piecemeal efforts for principled compromise to address the many broken parts of the immigration system while ensuring that no community suffers harm as another benefits. That is the nature of principled compromise.

This is one of those bills that certainly does not accomplish fixing the broken immigration system. It does not do that, but it does do something very important, which is to fix one piece of an immigration system that has been put together by these individual pieces that affect different parts of the population.

It does so, Mr. Speaker, without harming any other community.

To those of you who have waited too long for a green card as you have put down roots here and raised families and helped communities thrive across the country, I am here to say: We see you.

A previous iteration of this bill passed the Chamber with 365 bipartisan votes. I urge my colleagues to vote ''yes'' on the EAGLE Act.

Mr. MCCLINTOCK. Mr. Speaker, I yield 4 minutes to the gentleman from Arizona (Mr. BIGGS).

Mr. BIGGS. Mr. Speaker, I thank the gentleman from California for yielding.

I oppose the EAGLE Act and encourage all Members to do the same.

The Biden administration has created the absolute worst border crisis in our history, and congressional Democrats have done nothing to address it. They won't even acknowledge that there is a crisis, with the exception of the gentleman in the Chair.

The crisis is real. It is having a negative impact on communities across the country, but President Biden has more important things to do than visit the border.

I visit the border on a regular basis, and every time I do, I hear a similar message.

First, the brave men and women of the Border Patrol are being overrun. They are tired of the administration not supporting their efforts to secure the border.

Second, illegal aliens enter every day because they believe that the Biden administration is going to let everyone stay.

Thirdly, our communities are running out of resources to deal with the real-world impacts of the Biden border crisis. Cities like New York City and Washington, D.C., complained when a few hundred illegal aliens were sent to their communities, but cities in Arizona are dealing with large groups of illegal aliens every day. We are now told, with title 42 expiring, that they will do direct releases into Arizona's communities because there is just simply no place to even hold them to process them.

Since President Biden took office, U.S. Customs and Border Protection has encountered more than 4 million illegal aliens at the southwest land border. During the same time, the Biden administration has simply released

more than 1.4 million of those illegal aliens into the country.

Under this administration, those aliens will never be removed from the country, and the 4 million number does not include the hundreds of thousands, probably more than a million, got-aways who enter the country illegally without being apprehended by the Border Patrol.

For example, in November alone, there were more than 73,000 known got-aways, with estimates of at least one unknown got-away for every known got-away. That is a total of 150,000 people. We don't know where they came from. We don't know where they are going. We don't know what their intentions are.

The numbers continue to get worse. Over the weekend, Border Patrol reported more than 16,000 encounters in 2 days, and that does not include known and unknown got-aways.

But according to DHS Secretary Mayorkas, the border is secure. In fact, he testified under oath that DHS has operational control of the border. A week later, he backtracked on that statement because DHS does not have operational control of the border, despite the fact that he is required to achieve and maintain operational control of the border.

Congress even defined what operational control means so that there would be no ambiguity. It is this: ''The term 'operational control' means the prevention of all unlawful entries into the United States, including entries by terrorists, other unlawful aliens, instruments of terrorism, narcotics, and other contraband.''

□ 1245

I look forward to Secretary Mayorkas testifying before the Committee on the Judiciary next year and explaining whether he stands by his previous testimony that he is maintaining operational control of our border.

We know what he will say, because last month he told the Committee on Homeland Security that he believes the border is secure.

The Democrat-led Committee on the Judiciary hasn't held a single hearing on the crisis, and many Democrats on the committee deny that there is a crisis. At a hearing earlier this year, one Democrat committee member referred to this crisis as the ''supposed crisis at the southern border.''

I wonder if she still thinks it is just a supposed border crisis. Some of us in this room today know the reality of that border crisis.

The committee hasn't held a single hearing on the flow of fentanyl into this country.

The committee hasn't held a single hearing on the increase in the number of Border Patrol encounters with illegal aliens on the terrorist watch list.

You would think that the committee would be concerned with the fact that in fiscal year 2022, Border Patrol reported encountering 98 illegal aliens on the terrorist watch list.

To put that in perspective, for the years 2017, 2018, 2019, and 2020 combined, Border Patrol only reported encountering 11 illegal aliens on the terrorist watch list.

Secretary Mayorkas couldn't even tell the committee if any of the illegal aliens on the terrorist watch list who were encountered by CBP were still in the country.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. MCCLINTOCK. Mr. Speaker, I yield an additional 1 minute to the gentleman from Arizona.

Mr. BIGGS. Mr. Speaker, he has no idea where those individuals are.

Republicans on the Committee on the Judiciary have repeatedly asked for hearings. Those requests have been ignored.

Instead of conducting oversight, Democrats have advanced bills to provide amnesty and further weaken our security, which are incentives to those who wish to illegally enter the United States of America.

The EB–4 issue, as explained by my colleague from California, Ms. LOFGREN, it does not change the impact, as it provides an incentive for the cartels in their human trafficking expeditions.

The EAGLE Act will do nothing to secure our border or address the crisis that this administration has created, but it will dramatically alter our illegal immigration system in ways that most Members do not understand or fully appreciate.

Even the American Immigration Lawyers Association has opposed the bill. They acknowledge that the bill will benefit immigrants from a few countries, namely China and India, while adversely impacting those wishing to legally immigrate to the United States from almost all other countries.

Instead of rushing to pass this bill today, the House should be debating and passing legislation to require Secretary Mayorkas to enforce the law, to finish construction of the border wall, and to provide CBP and ICE with the resources they need to enforce the law.

Ms. LOFGREN. Mr. Speaker, I yield 3 minutes the gentlewoman from California (Ms. CHU).

Ms. CHU. Mr. Speaker, I rise today in support of H.R. 3648, the Equal Access to Green cards for Legal Employment, or the EAGLE Act of 2022.

While I, like many others here today, would prefer to see a more robust approach to fixing our broken immigration system, the bill before us today is an important step in the right direction. This bill will have a large impact on many immigrants and notably an overwhelming impact on Asian immigrant workers who have been historically barred from applying for U.S. citizenship.

Right now, there are approximately 1.4 million individuals trapped in our backlogs waiting for available employment-based visas. The vast majority, as high as 80 percent, are Asian immigrants who are currently facing waiting times as high as 90 years from India or 44 years from China.

Critically, the bill also more than doubles the per-country limit on family-sponsored visas from 7 to 15 percent, bringing relief to the nearly 4 million people who are forced to languish in limbo due to a backlogged and broken family-sponsored system. This backlog keeps families separated; causes birthdays, weddings, and funerals to be missed; and hampers the ability of immigrants to build their lives here in the United States while their families are waiting overseas.

Additionally, while not all communities are facing the same impact as ours, I want to reassure everyone that this bill does not adversely affect immigrants from other countries and those who do not benefit directly from these provisions.

Finally, I am proud that this bill does not include the racist anti-Chinese language that was added at the request of former President Trump to the previous iteration of this bill. Instead, the manager's amendment before us today simply replicates what is in current law for all green card applicants.

While I will continue to push forward for more comprehensive action that addresses many other parts of our immigration system for all immigrant communities, we must not let the perfect be the enemy of the good. We must pass this bill today in order to help hundreds of thousands of immigrants who are stuck in our employment visa backlogs.

Mr. MCCLINTOCK. Mr. Speaker, I yield 4 minutes to the gentleman from North Carolina (Mr. BISHOP).

Mr. BISHOP of North Carolina. Mr. Speaker, in the hearing on this bill in the markup in April before the Committee on the Judiciary, I raised an amendment or proposed an amendment that we protect the United States, if this bill were to pass, by providing that the Chinese Communist Party not be allowed to abuse it.

I submitted for the record evidence that Chinese technicians under H–1B visas had been part of the censorship routine at Facebook, that H–1B visa holders were involved in the Confucius Institutes in colleges and universities across the country.

We ought to, at a minimum, provide that the Chinese Communist Party does not use our immigration tools as a means to impair American national security and favor inculcation of the Chinese Communist Party's influence in the United States.

In response to the amendment, the bill's sponsor argued that the Immigration and Naturalization Act already provided for defense against this threat. In fact, she gave a particular section of the code, section 212(a)(3)(D), which already fully took care of this problem. Except in further debate on the amendment, it became apparent after a while that, no, section

212(a)(3)(D) only addressed risks involving aliens, not immigrants. That was finally conceded, but the problem was not addressed in the markup.

Now, as the bill comes to the floor today, it comes with a manager's amendment, not vetted in the Committee on the Judiciary as it should have been that day, and it doesn't do the job. It is loaded with exceptions that raise subjective questions that may be circumvented by agents of the Chinese Communist Party to come into the United States exploiting this greater latitude for these visas.

I believe the bill sponsor spoke to it in her opening comments, that there is an exception. Yeah, okay, the Chinese Communist Party can't take advantage of this. But if somebody is an involuntary member in the Chinese Communist Party or they accept membership in the Chinese Communist Party for the purpose of obtaining employment, well, they are not going to be excluded.

Well, who won't say that is what happened? And who is to decide now who was an involuntary member or one who was eager to participate? There are exceptions for close family members and exceptions for past membership.

We will offer a motion to recommit that will eliminate those exceptions. The motion to recommit would prevent the Department of Homeland Security from issuing an H–1B visa to anyone who is or was a member of a communist party or totalitarian party. It is just that simple.

Why, if this is harmless and helpful, is the Democratic Party so reluctant to provide for the most elemental of protections for the American people, that it not be exploited by the Chinese Communist Party, the most notorious adversary of the United States in the world, and to be done simply and completely so that, above all, we protect America in the course of doing this?

Mr. Speaker, if we adopt the motion to recommit, we will instruct the Committee on the Judiciary to consider my amendment to H.R. 3648 to provide real safeguards against Chinese Communist Party influence and espionage.

Mr. Speaker, I ask unanimous consent to insert the text of the amendment in the RECORD immediately prior to the vote on the motion to recommit.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Ms. LOFGREN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I do want to address the issue of membership in the Communist Party. It has long been part of the Immigration and Nationality Act that if you were a member, you are not admissible. I will read the section. ''Any immigrant who is or has been a member of or affiliated with the Communist or any other totalitarian party (or subdivision or affiliate thereof), domestic or foreign, is inadmissible.''

Now, there are some exceptions, for example, if your membership was not willing. We do know that in some cases, and not just in China, Russia signed up, essentially, Boy Scouts as members of the Communist Party against their will, and they were 12 years old. So the consular officer can find exceptions based on that, and that is sensible.

Now, the one point that the gentleman did make in committee had to do with applying this Communist Party inadmissibility provision explicitly to H–1B applicants, and we did take him up on that suggestion. In fact, that is a reasonable thing to do. The gentleman made that point because H–1B visa applicants have dual intent. So the application is eminently reasonable when it comes to those dual-intent immigrants.

Although we did not draft the amendment at the markup, we did contact the gentleman's legislative director and went back and forth with the lawyers on the staff, so there was full knowledge of this provision, and I thank the gentleman for raising the issue.

There have been complaints that we haven't had hearings. We have had a lot of hearings on this issue. In fact, I can recall so well, physicians—a quarter of the physicians in the United States are foreign born. Most of those medical doctors were born in India, and they are providing medical services to underserved communities throughout the United States. I have met many of them. We have had testimony from them at our hearing in the Committee on the Judiciary.

To tell the people who are getting their medical care from these physicians that it doesn't matter, these physicians have to go to Canada and leave them without a doctor in their small town, that is not reasonable. Failure to act will result in that type of situation. In fact, it is already resulting in that type of situation.

Mr. Speaker, I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. ROY).

□ 1300

Mr. ROY. Mr. Speaker, every one of us here have significant groups of constituents and people across this country from the communities in question, from the Chinese-American communities, from the Indian-American communities, who have interest in wanting to make sure their communities can be represented and might well support some of this. But of course they do. Of course they do.

What are we going to do here but pick winners and losers? That is what this Congress does every single day, pick winners and losers.

Who are the losers on this? It is not Big Tech, it is not all the big corporations that are all happy to collude with the people's House in order to get their labor supply, what they need.

But who are going to be the losers? A lot of the hospitals. Why did the hospital association oppose this?

Could it be that there are Filipino nurses and others who are going to be left behind or are going to have to go to the back of the line? The Filipino nurses that were crowding the room in which I was being treated for cancer at M.D. Anderson, which is chock-full of Filipino nurses?

We are picking winners and losers here based on nationalities and specific countries.

The gentlewoman from California just tried to mount a defense that we are not going to open the door to Chinese Communists coming to the United States but conveniently leaves out of the code all of the exceptions: exception for involuntary membership, exception for past membership, exception for close family members. I mean, any idiot could drive a truck through those holes.

This is not a hard thing to understand what is happening. At the eleventh hour, at the end of the 117th Congress, while Democrats are colluding with a bunch of weak-kneed Republicans in the Senate to pass a bunch of money that we don't have, to borrow more money that we don't have, to jam through a massive omnibus spending bill at the expense of the American people, this body is about to jam through a garbage immigration bill that will undermine people around the world seeking to come here who are going to be put to the back of the line while colluding with Big Tech and big corporate interests to do it. That is what is happening right now on the floor of the House.

We never actually have full-throated debates about this stuff, contrary to what the gentlewoman said. She just dismissed it: Oh, we had a couple hearings.

One witness mentioned something in a hearing and that constitutes a hearing?

We are not having an actual debate here on the floor. We are having 30 minutes of each side getting up and saying their talking points. Then we will have a vote, and then we will move on.

We are not going to be able to offer amendments on the floor because nobody in this body, none of the leadership on that side of the aisle or, frankly, often this side of the aisle, gives a damn about my right to be able to offer an amendment on this floor of this House as my constituents gave me the power to do.

We are here trying to defend the interests of having an immigration policy that is not based on the interests of one industry at the expense of countless other industries and at the expense of an immigration system that actually works while our border is wide open, being exploited by cartels and China to kill 72,000 Americans last year, and my Democratic colleagues don't give a rip about a wide-open border exploiting the American people and migrants getting abused in the process.

Ms. LOFGREN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I just want to make a note on the issue of nursing, which is very important. As you know, we have had a very tough time with nurses in America. They have been through COVID; the trauma has been enormous, and we have a need for more nurses while nurses are leaving the profession for understandable reasons.

Part of the answer is nurses who want to come to the United States and practice nursing. That is not the whole answer, but it is part of the answer, and so at the request and suggestion of Senators who we have been talking about, there is a carve-out of 4,400 visas for nurses and physical therapists during the transition period. We think once the transition is over, we will be adequately accommodated, but during the transition, that is included.

I would note that the Society of Hospital Medicine does support this bill.

We had three hearings in the Immigration and Citizenship Subcommittee on this topic, and I think we had an understanding on the subcommittee kind of on what all the issues were.

This is our best effort at dealing with those issues. It has received broad support in the past, bipartisan support in the past, and I hope it would do so again.

Mr. Speaker, I reserve the balance of my time.

Mr. MCCLINTOCK. Mr. Speaker, I yield myself the balance of my time to close. I think it is important to note why we have those per-country caps. Ours is a Nation of immigrants. Except for those descended from Native Americans, every one of us is an immigrant or the descendant of an immigrant.

The American people are drawn from every country on this Earth; and from these disparate and diverse populations, we have created one great Nation, the American Nation. Here there is only one race, the American race.

This remarkable achievement is made possible by a single word—assimilation. Our immigration laws were written specifically to accommodate that process. They were written to assure that as immigrants come to our country they bring with them a sincere desire to become Americans, to raise their children as Americans, to acquire a common language, a common culture, and a common appreciation of American principles. That is the only possible way to blend so many discordant, disparate, and diverse populations into a common people devoted to the same principles that have produced the happiest, most just, most prosperous, most free, most advanced, and most envied civilization in the history of mankind.

But assimilation is hard. As Winston Churchill said from that very rostrum: ''We have not journeyed all this way across the centuries, across the oceans, across the mountains, across the prairies because we are made of sugar candy.''

Becoming an American requires learning a new language, accepting and adopting new customs, adapting to a new culture, and accepting new beliefs. Assimilation breaks down if the concentration of immigrants from any single country reaches a level where assimilation is no longer necessary for that population. Instead of e pluribus unum, from many nations one great nation, from many people one great people, we instead see e unum pluribus: from one nation, many isolated, insular, and segregated communities that become foreign enclaves rather than an integral part of our national identity.

We have all heard the heartbreaking tales of American workers not only being displaced by foreign workers but being forced to train their replacements as a condition of severance pay. This bill assures a never-ending supply of foreign labor for American corporations.

Under this bill, any alien on an employment-based green card waiting list for more than 2 years could apply for adjustment of that status. Once an alien has filed an adjustment of status application, he or she is eligible for a work permit. However, unlike an employment-based green card, which generally requires a showing that the wages and conditions of Americans are not adversely affected, this work permit is considered an open-market employment authorization document, meaning the alien can take any job at any wage, and there are no protections for American workers.

So this bill essentially converts temporary visa holders to permanent status at the expense of American tech workers. This rewards the very same companies who for years have fired their American workers only to replace them with cheaper foreign labor.

American workers, particularly Black and Hispanic Americans, are going to be particularly hard hit. Pew Research estimates that each group only accounts for about 9 percent of the STEM workforce, and this measure assures that competition for those positions will become much greater and the wages much lower.

The per-country caps exist to assure that the population of no single nation can come to dominate the overall immigrant population coming to these shores. Thus, under current law immigrants from one nation cannot claim more than 7 percent of the visas, but under this bill, the employment-based limit is eliminated.

If this is allowed to happen, assimilation breaks down and the entire foundation of a nation of immigrants is shattered. As I said earlier, the practical effect of this bill is that the population of only two countries, China and India, will almost exclusively dominate the receipt of employment-based green cards for the foreseeable future at the expense of the people of virtually every other country in the world. Instead of an equitable distribution of green cards across all countries, they will in effect be limited to two.

In one employment-based green card category, EB–5, all the green cards will go to Chinese nationals for several years. In another category, EB–4, religious workers will be precluded from getting green cards. Instead, these will go to the alien juveniles from Northern Triangle countries who crossed our border illegally. This imbalance would undermine the fundamental mechanism of assimilation, and I fear that is the point.

Assimilation has become a dirty word to the left. They seek not unity, not one united people but, rather, a people divided into warring, racial, and ethnic factions, divided by language, culture, ethnicity, and ultimately grievances. No nation can survive very long tearing itself apart this way.

The collapse of our southern border and refusal of the Democrats to defend the sovereignty of our Nation from the unprecedented illegal mass migration that they have unleashed will spell the end of this Nation if it is allowed to continue much longer. This bill is a small part of that policy, and it is destructive in its effect if not its intent.

Mr. Speaker, I yield back the balance of my time.

Ms. LOFGREN. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, just a couple of notes. First, this bill does not add any additional visas to the visa system. There were efforts to do that, plans to recapture visas. That was never agreed to by the Senate, and so this is an allocation of existing visas. It doesn't add a single visa.

As I said before, 95 percent of the individuals who would be impacted are already here legally in the United States. They are legally working in the United States. So it is no new people coming in, either. It is people who are already here, no additional visas.

We asked the Congressional Research Service to do an analysis because people wanted to know—and they were right to want to know—is there any adverse impact on Africa or the Caribbean, and CRS told us there was no impact on Africa or the Caribbean.

Referring to the EB–5 category, I think those who are concerned don't realize that we actually changed the EB–5 Act through the Integrity Act earlier this year, and due to those changes, 32 percent of the green cards available every year for investments go to a new category. It is completely current. There is no backlog.

I just want to talk a little bit about what we are doing here. My colleague from California said we are talking about picking winners and losers.

In 1965, the Congress did pick winners and losers when they designed this structure. The winners were Western Europe, and the losers were everyone else. Now, that system, although not, I am sure, intended to be called racist, did advantage people from Western Europe to the disadvantage of the rest of the world, and we are still working on that system today.

I think it is time to change that system. It is time to move to merit, not to

race, not to the country you were born in. I am not accusing any critics of this bill, I am not talking about their motivation, but the fact is, if we don't change this system, we are supporting something that we did in 1965 that really has an effect of having race play a role in who gets a visa instead of merit on the employment side. I don't think that serves our country well.

Put aside for a minute our ideals just to discuss the economic impact. We do well economically when the very most able people who want to come here and be Americans, to start companies, to invent things are able to do so. The current system throws a wrench into that, and it is not good for the United States of America.

I hope, once again, that we can vote to approve this bill. It doesn't do everything I would like to do in reforming immigration law. As the gentleman knows, I have worked for many decades to do a variety of improvements, but this fixes something.

Let's not say we can't do anything unless we do everything. That is a path toward mediocrity.

Let's do what we can do to make this system work better, to move it away from its racist origins and have a system based on merit.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. All time for debate on the bill has expired.

The Chair understands that the amendment printed in part B of House Report 117–590 will not be offered.

Pursuant to the rule, the previous question is ordered on the bill.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. BISHOP of North Carolina. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Bishop moves to recommit the bill H.R. 3648 to the Committee on the Judiciary.

The material previously referred to by Mr. BISHOP of North Carolina is as follows:

In paragraph (14) of section 212(g) of the Immigration and Nationality Act (8 U.S.C. 1184(g)), as proposed to be amended by section 4(g) of the bill, strike subparagraphs (B) through (D), and redesignate provisions accordingly.

The SPEAKER pro tempore. Pursuant to clause 2(b) of rule XIX, the previous question is ordered on the motion to recommit.

The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the noes appeared to have it.

Mr. BISHOP of North Carolina. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question are postponed.

□ 1315

QUANTUM COMPUTING CYBERSECURITY PREPAREDNESS ACT

The SPEAKER pro tempore. The unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill (H.R. 7535) to encourage the migration of Federal Government information technology systems to quantum-resistant cryptography, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from the District of Columbia (Ms. NORTON) that the House suspend the rules and concur in the Senate amendment.

The vote was taken by electronic device, and there were—yeas 420, nays 3, not voting 7, as follows:

[Roll No. 519]

YEAS—420

Adams
Aderholt
Aguilar
Allen
Allred
Amodei
Armstrong
Arrington
Auchincloss
Axne
Babin
Bacon
Baird
Balderson
Banks
Barr
Barragán
Beatty
Bentz
Bera
Bergman
Beyer
Bice (OK)
Biggs
Bilirakis
Bishop (GA)
Bishop (NC)
Blumenauer
Blunt Rochester
Boebert
Bonamici
Bost
Bourdeaux
Bowman
Boyle, Brendan F.
Brady
Brown (MD)
Brown (OH)
Brownley
Buchanan
Buck
Bucshon
Budd
Burchett
Burgess
Bush
Bustos
Butterfield
Calvert
Cammack
Carbajal
Cárdenas
Carey
Carl
Carson
Carter (GA)
Carter (LA)
Carter (TX)
Cartwright
Case
Casten
Castor (FL)
Castro (TX)
Cawthorn
Chabot
Cherfilus-McCormick
Chu
Cicilline
Clark (MA)
Clarke (NY)
Cleaver
Cline
Cloud
Clyburn
Clyde
Cohen
Cole
Comer
Connolly
Conway
Cooper
Correa
Costa
Courtney
Craig
Crawford
Crenshaw
Crow
Cuellar
Curtis
Davids (KS)
Davidson
Davis, Danny K.
Davis, Rodney
Dean
DeFazio
DeGette
DeLauro
DelBene
Demings
DeSaulnier
DesJarlais
Diaz-Balart
Dingell
Doggett
Donalds
Doyle, Michael F.
Duncan
Dunn
Ellzey
Emmer
Escobar
Eshoo
Espaillat
Estes
Evans
Fallon
Feenstra
Ferguson
Finstad
Fischbach
Fitzgerald
Fitzpatrick
Fleischmann
Fletcher
Flood
Flores
Foster
Foxx
Frankel, Lois
Franklin, C. Scott
Fulcher
Gaetz
Gallagher
Gallego
Garamendi
Garbarino
Garcia (CA)
García (IL)
Garcia (TX)
Gibbs
Gimenez
Golden
Gomez
Gonzales, Tony
Gonzalez (OH)
Gonzalez, Vicente
Good (VA)
Gooden (TX)
Gosar
Gottheimer
Granger
Graves (LA)
Graves (MO)
Green (TN)
Green, Al (TX)
Greene (GA)
Griffith
Grijalva
Grothman
Guest
Guthrie
Harder (CA)
Harris
Harshbarger
Hartzler
Hayes
Hern
Herrell
Herrera Beutler
Hice (GA)
Higgins (LA)
Higgins (NY)
Hill
Himes
Hollingsworth
Horsford
Houlahan
Hoyer
Hudson
Huffman
Huizenga
Issa
Jackson
Jackson Lee
Jacobs (CA)
Jacobs (NY)
Jayapal
Jeffries
Johnson (GA)
Johnson (LA)
Johnson (OH)
Johnson (SD)
Johnson (TX)
Jones
Jordan
Joyce (OH)
Joyce (PA)
Kahele
Kaptur
Katko
Keating
Keller
Kelly (IL)
Kelly (MS)
Kelly (PA)
Khanna
Kildee
Kilmer
Kim (CA)
Kim (NJ)
Kind
Kirkpatrick
Krishnamoorthi
Kuster
Kustoff
LaHood
LaMalfa
Lamb
Lamborn
Langevin
Larsen (WA)
Larson (CT)
Latta
LaTurner
Lawrence
Lawson (FL)
Lee (CA)
Lee (NV)
Leger Fernandez
Lesko
Letlow
Levin (CA)
Levin (MI)
Lieu
Lofgren
Long
Loudermilk
Lowenthal
Lucas
Luetkemeyer
Luria
Lynch
Mace
Malinowski
Malliotakis
Maloney, Carolyn B.
Maloney, Sean
Mann
Manning
Mast
Matsui
McBath
McCarthy
McCaul
McClain
McClintock
McCollum
McGovern
McNerney
Meeks
Meijer
Meng
Meuser
Mfume
Miller (IL)
Miller (WV)
Miller-Meeks
Moolenaar
Mooney
Moore (AL)
Moore (UT)
Moore (WI)
Morelle
Moulton
Mrvan
Mullin
Murphy (FL)
Murphy (NC)
Nadler
Napolitano
Neal
Neguse
Nehls
Newhouse
Newman
Norcross
Norman
O'Halleran
Obernolte
Ocasio-Cortez
Omar
Owens
Palazzo
Pallone
Palmer
Panetta
Pappas
Pascrell
Payne
Peltola
Pence
Perlmutter
Perry
Peters
Pfluger
Phillips
Pingree
Pocan
Porter
Posey
Pressley
Price (NC)
Quigley
Raskin
Reschenthaler
Rice (NY)
Rice (SC)
Rodgers (WA)
Rogers (AL)
Rogers (KY)
Rose
Rosendale
Ross
Rouzer
Roy
Roybal-Allard
Ruiz
Ruppersberger
Rush
Rutherford
Ryan (NY)
Ryan (OH)
Salazar
Sánchez
Sarbanes
Scalise
Scanlon
Schakowsky
Schiff
Schneider
Schrader
Schrier
Schweikert
Scott (VA)
Scott, Austin
Scott, David
Sempolinski
Sessions
Sewell
Sherman
Sherrill
Simpson
Sires
Slotkin
Smith (MO)
Smith (NE)
Smith (NJ)
Smith (WA)
Smucker
Soto
Spanberger
Spartz
Speier
Stansbury
Stanton
Stauber
Steel
Steil
Steube
Stevens
Stewart
Strickland
Suozzi
Swalwell
Takano
Taylor
Tenney
Thompson (CA)
Thompson (MS)
Thompson (PA)
Tiffany
Timmons
Titus
Tlaib
Tonko
Torres (CA)
Torres (NY)
Trahan
Trone
Turner
Underwood
Upton
Valadao
Van Drew
Van Duyne
Vargas
Veasey
Velázquez
Wagner
Walberg
Waltz
Wasserman Schultz
Watson Coleman
Weber (TX)
Webster (FL)
Welch
Wenstrup
Westerman
Wexton
Wild
Williams (GA)
Williams (TX)
Wilson (FL)
Wilson (SC)
Wittman
Womack
Yakym
Yarmuth
Zeldin

NAYS—3

Brooks
Gohmert
Massie

NOT VOTING—7

Cheney
Hinson
Kinzinger
McHenry
McKinley
Stefanik
Waters

□ 1355

Mr. WITTMAN changed his vote from ''nay'' to ''yea.''